

Amendment  
Serial No. 10/735,733  
Attorney Docket No. 032159

**REMARKS**

Claims 14-26 are pending in the present application. New claims 14-26 are added herein.

**Applicants' Response to Claim Rejections under 35 U.S.C. §112**

**Claims 1-13 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention.**

The Office Action notes that the claims are generally narrative and indefinite and fail to conform to U.S. practice. In response, Applicants herein cancel claims 1-13 without prejudice. Thus, this rejection is moot.

Applicants note that new claims 14-26 are herein added. These claims are of the same scope as the original claims and are in compliance with U.S. practice. These claims positively recite the overhead traveling carriage, the stocker and the processing devices.

The Office Action noted that the structure of original claim 13 is unclear. Specifically, the Office Action stated that timing belt 66 does not have an end fixed to the platform. Because new claim 26 contains recitations similar to original claim 13, Applicants wish to clarify that as illustrated in Figures 4 and 5, “[o]ne end of each of the timing belts 66, 68 is fixed to the floor plate, frame, or the like of the platform 12 using fixing portions 70, 72.” See page 14, lines 18-20.

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**Applicants' Response to Claim Rejections under 35 U.S.C. §102**

**Claims 1, 4-6 and 8 were rejected under 35 U.S.C. §102(b) as being anticipated by Kwon et al. (U.S. Patent No. 5,955,857).**

Claims 1, 4-6 and 8 are herein cancelled. However, Applicants respectfully submit that the corresponding new claims are distinguishable over **Kwon**. The Office Action argues that **Kwon** discloses the invention as claimed. **Kwon** discloses a wafer conveying system having a stocker 100A and a main rail T. Carrier 100C travels on the main rail T, and carries package boxes 100D. The stocker 100A includes pivot arm lifter 100G and pivot arm unit 100F. Package boxes 100D are loaded or unloaded from carrier 100C onto pivot arm unit 100F. The package boxes 100D are then loaded or unloaded into storage zones Z. Main rail T is disposed between storage zones Z and pivot arm lifter 100G and pivot arm unit 100F.

New claim 14 includes a limitation which recites that the overhead traveling carriage and running rail are disposed above the stocker. In **Kwon**, the carrier 100C and the main rail T both run through the stocker 100A, instead of being disposed above the stocker. Please see column 4, lines 10-12. Applicants respectfully submit that the corresponding new claims are distinguishable over **Kwon**. Favorable reconsideration is respectfully requested..

**Claims 1, 4 and 6 were rejected under 35 U.S.C. §102(b) as being anticipated by Iizuka (U.S. Patent No. 5,466,109).**

Claims 1, 4 and 6 are herein cancelled. However, Applicants respectfully submit that the corresponding new claims are distinguishable over **Iizuka**. The Office Action argues that **Iizuka**

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discloses the invention as claimed. **Iizuka** discloses load storing equipment for a clean room. **Iizuka** discloses a carrying in-and-out device 40 disposed in a box-like enclosure 12. Carrying in-and-out device 40 travels on floor rail 7 and ceiling rail 8 via upper frame 61 and lower frame 41. Carrying in-and-out device 40 includes a carriage 81 which raises or lowers an object, and carrying in-and-out tool 91 which transfers objects into and out of shelves 20.

The Office Action appears to argue that carrying in-and-out device 40 is both an overhead traveling carriage and part of a stocker. **Iizuka** does not disclose an overhead traveling carriage which is disposed above a stocker having an elevating section. Therefore, Applicants respectfully submit that new claim 14 is sufficient to distinguish over the cited art.

**Claims 1-8 were rejected under 35 U.S.C. §102(e) as being anticipated by Nakahara et al. (U.S. Patent Application No. 2002/0024647).**

Claims 1-8 are herein cancelled. However, Applicants respectfully submit that the corresponding new claims are distinguishable over **Nakahara**. The Office Action argues that **Nakahara** discloses the invention as claimed. **Nakahara** discloses a lithography system and conveying method having an overhead vehicle 44 which travels on guide rail Hr above housing 22A. A reticle article 40 is carried by overhead vehicle 44 and may be loaded or unloaded into or out of housing 22A. Housing 22A includes support guide 46 and support member 48 which raise or lower a reticle article 40. Robot 32 may load the reticle article 40 into carrier stock portion 38.

In response, Applicants submit that **Nakahara** does not anticipate the recitations of new claim 14. New claim 14 recites that “said elevating space is disposed nearer to a running path of

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said overhead traveling carriage than is said storage space, as viewed from above.” As illustrated in Figures 18, 19A and 19B, overhead vehicle 44 is disposed over opening 42, which is disposed over carrier stock portion 38. Carrier stock portion 38 is disposed on the opposite side of housing 22A from support guide 46, supporting member 48 and robot 32. Guide rail Hr is disposed above all of these elements. Therefore, in **Nakahara**, the elevating space and the storage space are equidistant from the guide rail.

In contrast, new claim 14 recites that elevating space 8 is disposed nearer to a running path of said overhead traveling carriage 110 than said storage space 10, as viewed from above. Thus, Applicants respectfully submit that new claim 14 is distinguishable over **Nakahara** since the structural configuration of **Nakahara** is different from that of the claimed invention.

**Applicants' Response to Claim Rejections under 35 U.S.C. §103**

**Claims 2, 3 and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kwon or Iizuka.**

Claims 2, 3 and 7 are herein cancelled. However, Applicants respectfully submit that the corresponding new claims are patentable over **Kwon or Iizuka**. The Office Action argues that **Kwon or Iizuka** disclose the invention as claimed, with the exception of disclosing that the stockers are to be used among processing devices or in a gap between processing devices. The Office Action argues that it would have been obvious to dispose the stockers in such a position.

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In response, Applicants respectfully submit that the corresponding new claims 15, 16 and 20 are patentable due to their dependency on independent claim 14, which Applicants submit is patentable for the reasons discussed above.

**Claims 5, 6, 8 and 9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Iizuka in view of Tokunaga (U.S. Patent No. 6,817,822).**

Claims 5, 6, 8 and 9 are herein cancelled. However, Applicants respectfully submit that the corresponding new claims are patentable over **Iizuka** in view of **Tokunaga**. The Office Action argues that **Iizuka** discloses the invention as claimed, with the exception of an overhead transfer system. The Office Action relies on **Tokunaga** to provide this teaching. The Office Action argues that it would have been obvious to modify **Iizuka** by adding an overhead transfer system.

In response, Applicants respectfully argue that the combination of **Iizuka** and **Tokunaga** would not render the corresponding new claims 18, 19, 21 and 22 unpatentable. As discussed above, the Office Action appears to regard carrying in-and-out device 40 as both an overhead traveling carriage and part of a stocker. Since **Iizuka** does not disclose an overhead traveling carriage which is disposed above a stocker having an elevating section, one having ordinary skill in the art would not be motivated to modify **Iizuka** by adding an opening at a top of the elevating space to transfer an article between the platform of the stocker and an overhead traveling carriage.

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**Claim 9 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kwon in view of Bernard et al. (U.S. Patent No. 4,389,157).**

Claim 9 is herein cancelled. However, Applicants respectfully submit that the corresponding new claim is patentable over **Kwon** in view of **Bernard**. The Examiner argues that **Kwon** discloses the invention as claimed, with the exception of guide member disposed at laterally opposite sides of the platform. The Office Action relies on **Bernard** for this teaching. **Bernard** discloses idler rollers 132 disposed on lateral sides of platform 20.

In response, Applicants submit that the corresponding new claim 22 is patentable due to its dependency on independent claim 14, which Applicants submit is patentable for the reasons discussed above.

**Claims 10-12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kwon in view of Bernard in further view of Whalen (U.S. Patent No. 6,582,182).**

Claims 10-12 are herein cancelled. However, Applicants respectfully submit that the corresponding new claims are patentable over **Kwon**. The Office Action argues that **Kwon** in view of **Bernard** discloses the invention as claimed, with the exception of rollers on the guide members and shelves. The Office Action relies on **Whalen** to provide this teaching.

In response, Applicants respectfully submit that the corresponding new claims 23-25 are patentable due to their dependency on independent claim 14, which Applicants submit is patentable for the reasons discussed above.

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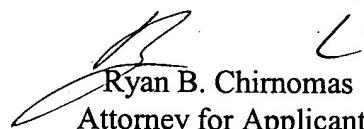
For at least the foregoing reasons, the claimed invention distinguishes over the cited art and defines patentable subject matter. Favorable reconsideration is earnestly solicited.

Should the Examiner deem that any further action by applicants would be desirable to place the application in condition for allowance, the Examiner is encouraged to telephone applicants' undersigned agent.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**



Ryan B. Chirnomas  
Attorney for Applicants  
Registration No. 56,527  
Telephone: (202) 822-1100  
Facsimile: (202) 822-1111

RBC/meu/jl